

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:01CR3040
)	
v.)	
)	
ANTHONY STEVEN WRIGHT,)	ORDER ON MOTION TO WITHDRAW AS
)	COUNSEL AND ATTEMPTED
Defendant.)	EMERGENCY MOTION FOR
)	APPOINTMENT OF APPELLATE
)	COUNSEL

The Motion to Withdraw as Counsel, filing 253, shows that John S. Berry, appointed to represent the defendant on appeal, was ordered to active duty effective July 2005, as a Captain, Nebraska National Guard, and currently is serving in al-Asad, Iraq, and is not expected to complete his tour of duty in Iraq until September 2006. It has been requested, therefore, that he be relieved of his appointment as counsel.

IT IS ORDERED that the Motion to Withdraw as Counsel, filing 253, filed January 19, 2006, is granted and John S. Berry is relieved of his duty to represent the defendant.

IT FURTHER IS ORDERED that what is titled "Emergency Motion, Motion for Appellate Counsel and Extension of Time to File Brief, dated December 23, 2005, and received by the clerk of this court January 3, 2006, but not filed, is denied. On January 25, 2006, the Eighth Circuit Court of Appeals denied the appellant's motion for appointment of counsel. In the same order the Eighth Circuit Court of Appeals affirmed summarily the judgment of this district court. Any request for appointment of counsel should be addressed to the Circuit Court of Appeals.

Dated February 14, 2006.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge